

Practitioner's Docket No. MPI99-193CN2M

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:	Rosana Kapeller-Libermann, et al.		
Application No.:	10/767,308	Group No.:	1635
Filed:	January 29, 2004	Examiner:	Schnizer, Richard A.
For:	2786, A NOVEL HUMAN AMINOPEPTIDASE		

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**

**IDENTIFICATION OF TIME OF FILING THE ACCOMPANYING  
INFORMATION DISCLOSURE STATEMENT**

1. The information disclosure statement submitted herewith is being filed:  
☐ Within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 C.F.R. section 1.97(b).

**OR**

☒ **After** three months of the filing date of this national application or the date of entry of the national stage as set forth in Section 1.491 in an international application or after the mailing date of the first Office action on the merits, whichever event occurred last but **before** the mailing date of either:

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**CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) and 1.10\***

I hereby certify that, on the date shown below, this correspondence is being:

**MAILING**


- ☒ deposited with the United States Postal Service in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.  
**37 C.F.R. SECTION 1.8(a)**

**37 C.F.R. SECTION 1.10\***

- ☒ with sufficient postage as first class mail. ☐ as "Express Mail Post Office to Addressee" Mailing Label No.

**TRANSMISSION**

- ☐ transmitted by facsimile to the Patent and Trademark Office.

  
Signature  
Sean Hunziker  
(type or print name of person certifying)

Date: January 9, 2006

**\*WARNING:** Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. section 1.10(b). "Since the filing of correspondence under section 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

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- (1) a final action under Section 1.113,
- (2) a notice of allowance under Section 1.311, or
- (3) an action that otherwise closes prosecution in the application

whichever occurs first.

☒ Accompanying this transmittal is the fee set forth in 37 C.F.R. Section 1.17(p) for submission of an information disclosure statement under Section 1.97(c). (\$180.00).

☐ Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. 37 C.F.R. Section 1.97(e)(1).

☐ No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application and to the knowledge of the person signing the statement after making reasonable inquiry, was known to any individual designated in Section 1.56(c) more than three months prior to the filing of the information disclosure statement. 37 C.F.R. Section 1.97(e)(2).

**FEE PAYMENT**

2. ☒ The fee due is set forth in 37 C.F.R. Section 1.17(p) for submission of an information disclosure statement under Section 1.97(c) (\$180.00).

☐ Applicant believes no fee is due in connection with this submission.

Fee due \$180.00

**METHOD OF PAYMENT OF FEE**

3. ☐ Attached is a check in the amount of \$ \_\_\_\_\_ .
- ☒ Charge Account No. 501668 in the amount of \$180.00 .
- ☐ A duplicate of this request is attached.

If any additional fees are due, please charge Account 501668.

January 9, 2006

MILLENNIUM PHARMACEUTICALS, INC.

By Mario Cloutier

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**INFORMATION DISCLOSURE STATEMENT**

**List of Sections Forming Part of This Information Disclosure Statement**

The following sections are being submitted for this Information Disclosure Statement:

1. ☒ Preliminary Statements;
2. ☒ Form PTO/SB/08B (substitute for Form PTO-1449) (2 pages);
3. ☒ Copy of Listed Information Item Accompanying This Statement (D1-D9);
4. ☒ Identification of Person(s) Making This Information Disclosure Statement.

**CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) and 1.10\***

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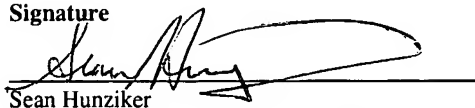
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**Preliminary statements**

Applicants submit herewith patents, publications or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. section 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

**Copy of Listed Information Item Accompanying This Statement**

Legible copy of items (D1-D9) listed in Form PTO/SB/08B (substitute for Form PTO-1449) accompany this information statement.

January 9, 2006

MILLENNIUM PHARMACEUTICALS, INC.

By: 

Mario Cloutier

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Please type a plus sign (+) inside this box → ☐

PTO/SB/08B (10-96)

Approved for use through 10/31/99. OMB 0654-0031

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Substitute for form 1449B/PTO		<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(use as many sheets as necessary)</i>		Application Number	10/767,308
		Filing Date	January 29, 2004
		First Named Inventor	Rosana Kapeller-Libermann, et al.
		Group Art Unit	1635
		Examiner Name	Schnizer, Richard A.
Sheet 1 of 1	Attorney Docket Number	MPI99-193CN2M	

**OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include the name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and-or country where published.	T <sup>2</sup>
	D1	PIESSE, C., et al., "Arginyl Aminopeptidase (Aminopeptidase B) [Homo Sapiens]," May 14, 2005 (sequence) GenPept [online] Bethesda, MD, USA: National Center for Biotechnology Information [retrieved on August 25, 2005]. Retrieved from the Internet: URL: <a href="http://www.ncbi.nlm.nih.gov/">http://www.ncbi.nlm.nih.gov/</a> . GenPept Accession No. NP_064601.3	
	D2	PIESSE, C., et al., "Arginyl Aminopeptidase (Aminopeptidase B) [Homo Sapiens]," December 21, 2003 (sequence) GenPept [online] Bethesda, MD, USA: National Center for Biotechnology Information [retrieved on December 15, 2005]. Retrieved from the Internet: URL: <a href="http://www.ncbi.nlm.nih.gov/">http://www.ncbi.nlm.nih.gov/</a> . GenPept Accession No. NP_064601.2	
	D3	BLOECKER, H., et al., "Hypothetical Protein DKFZp547H084 [Homo Sapiens]," November 2, 2000 (sequence) GenPept [online] Bethesda, MD, USA: National Center for Biotechnology Information [retrieved on December 15, 2005]. Retrieved from the Internet: URL: <a href="http://www.ncbi.nlm.nih.gov/">http://www.ncbi.nlm.nih.gov/</a> . GenPept Accession No. NP_064601.1	
	D4	STRAUSBERG, Robert, "tq67b04.x1 NCI_CGAP_Lu19 Homo Sapiens cDNA Clone IMAGE:2213839 3' Similar to SW:AMPB_RAT O09175 Aminopeptidase B ;, mRNA Sequence," December 14, 1999 (sequence) GenBank [online] Bethesda, MD, USA: National Center for Biotechnology Information [retrieved on January 9, 2006]. Retrieved from the Internet: URL: <a href="http://www.ncbi.nlm.nih.gov/">http://www.ncbi.nlm.nih.gov/</a> . GenBank Accession No. AI582355.	
	D5	STRAUSBERG, Robert, "xg72f09.x1 NCI_CGAP_Ut4Homo Sapiens cDNA Clone IMAGE:2633897 3' Similar to SW:AMPB_RAT O09175 Aminopeptidase B ;, mRNA Sequence," November 12, 1999 (sequence) GenBank [online] Bethesda, MD, USA: National Center for Biotechnology Information [retrieved on January 9, 2006]. Retrieved from the Internet: URL: <a href="http://www.ncbi.nlm.nih.gov/">http://www.ncbi.nlm.nih.gov/</a> . GenBank Accession No. AW167220.	
	D6	SUGANO, S., et al., "Homo Sapiens cDNA: FLJ22991 fis, Clone KAT11853, Highly Similar to HSU49278 Homo Sapiens UEV-1 (UBE2V) mRNA," September 12, 2003 (sequence) GenBank [online] Bethesda, MD, USA: National Center for Biotechnology Information [retrieved on January 9, 2006]. Retrieved from the Internet: URL: <a href="http://www.ncbi.nlm.nih.gov/">http://www.ncbi.nlm.nih.gov/</a> . GenBank Accession No. AK026644.	
	D7	SANCHO, E., et al., "Homo Sapiens UEV-1 (UBE2V) mRNA, Partial Cds," February 17, 1998 (sequence) GenBank [online] Bethesda, MD, USA: National Center for Biotechnology Information [retrieved on January 9, 2006]. Retrieved from the Internet: URL: <a href="http://www.ncbi.nlm.nih.gov/">http://www.ncbi.nlm.nih.gov/</a> . GenBank Accession No. U49278.	
	D8	WANG, Y., et al., "Env-Like Protein," June 1, 2003 (sequence) GenPept [online] Bethesda, MD, USA: National Center for Biotechnology Information [retrieved on January 9, 2006]. Retrieved from the Internet: URL: <a href="http://www.ncbi.nlm.nih.gov/">http://www.ncbi.nlm.nih.gov/</a> . GenPept Accession No. Q9NP17.	
	D9	PIESSE, C., et al., "Aminopeptidase B (Ap-B) (Arginyl Aminopeptidase) (Arginine Aminopeptidase)," Created on February 28, 2003 (sequence) GenPept [online] Bethesda, MD, USA: National Center for Biotechnology Information [retrieved on January 9, 2006]. Retrieved from the Internet: URL: <a href="http://www.ncbi.nlm.nih.gov/">http://www.ncbi.nlm.nih.gov/</a> . GenPept Accession No. Q9H4A4.	

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Unique citation design number. <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, D.C. 20231.

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